

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: January 19, 2005

Division: Growth Management

Bulk Item: Yes ☐ No ☒

Department: Marine Resources

AGENDA ITEM WORDING: Approval of a request to authorize the Growth Management Division staff to prepare a draft Interim Development Ordinance to prevent further loss of public water access and working waterfront while the Marine Management Plan is being completed and new policies and new regulations based on the recommendations of that Plan are enacted.

ITEM BACKGROUND: The proposed Marine Management Plan is expected to be completed by the end of 2005. A major product of this effort will be to identify specific strategies, policies and regulations to implement the recommendations and findings of the Plan, including amendments to the Comprehensive Plan and Land Development Regulations. Unfortunately, as the Board is well aware, redevelopment and conversion of waterfront and marine facilities to non-waterfront dependent uses and non-public waterfront uses continue unabated. Such changes in the Keys waterfront areas are further limiting public access to these areas and eliminating commercial fishing and other "working waterfront" uses that have not only been integral in the Keys economy, but of historical and cultural significance as well.

Therefore, the Growth Management staff requests that the Board authorize it to prepare an Interim Development Ordinance to defer development approvals by the County for the redevelopment or conversion of waterfront lands until such time the Plan is completed and its recommendations implemented through specific amendments to the Comprehensive Plan and Land Development Regulations. The staff believes this approach is a prudent and practical one, considering the importance of the issues involved, the increasing market pressures for such redevelopment and conversions of the waterfront, and the need for adequate time to complete the Plan and enact specific policies, regulations and programs for the Plan's implementation.

The staff intends to prepare an ordinance that is as narrowly targeted as possible to prevent "no net loss" of working waterfronts and public access during duration of the interim regulations. It is anticipated that such an ordinance will need to be in place at least one year with a possible six month extension. It will require two hearings before the BOCC and will go through the County's normal process for amending its Land Development Regulations.

PREVIOUS RELEVANT BOCC ACTION: The BOCC indicated its concerns to staff at its December 15, 2004 meeting related to the need for considering a "no net loss" ordinance to prevent further redevelopment and conversions of waterfront facilities and lands until the Marine Management Plan is completed.

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: Approval

TOTAL COST: N/A

BUDGETED: Yes ☐ No ☐

COST TO COUNTY: N/A

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes ☐ No ☒ **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty N/A OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL: _____
Timothy J. McGarry

DOCUMENTATION: Included ☐ To Follow ☐ Not Required ☒

DISPOSITION: _____

AGENDA ITEM # 3